

Downtown Dartmouth Plan Update – Written Submissions
Dec. 1, 2015 – Jan. 9, 2015 (names have been removed)

Submission

- 1) I like the idea of increasing the density of residents in the downtown. Providing increased and improved accommodations in Downtown Dartmouth will increase the tax base and improve the quality of life by having more residents occupying this valuable space within Halifax. Downtown Dartmouth provides excellent residential opportunities for people working within the Halifax core. To support this development we need to continue to ensure the operation of the Halifax Ferry and Metro Transit links. To support the kind of residential density, I like the Scenario 3 presented at the open house which allows for a few 50 m high towers in the downtown. This will provide the accommodations while not having major impacts on sun and wind. Properly planned with setbacks and placement within the Downtown a few 10 story buildings would be a good addition. The challenge will be balancing such new higher developments with the existing small-town feeling of Downtown Dartmouth, but I don't think we can achieve our long term goals of sufficient density with 3-4 story buildings.
 - 2) Commercial development is necessary to move Downtown from a bedroom community to something that is more self sufficient as a community. I don't think that it can nor should attempt to compete with the commercial developments on the Peninsula, which will always have a higher density of residents. We need to accept that Downtown Dartmouth will be different than Barrington Street. This is good. Small shops such as are now developing are excellent. It would be nice to see more commercial development that would provide residents with sufficient services so that more of their day-to-day shopping could be done without the use of a car. The Hydrostone with its bakery, pizza shop, restaurants, etc., is a good example of a smaller centre within Halifax. Agricola Street around its intersection with North is another good example. In my experience most successful commercial streets are those that are traffic corridors - either vehicular and/or pedestrian. For this reason, I see Ochterloney Street as much more promising as a commercial corridor than Portland. Portland was an important commercial corridor when it provided the traffic connection from the ferry terminal at the foot of Portland on the harbour. Now it is more of a cul-de-sac. Today the connection is up Ochterloney from the Alderney and the ferry. We should recognize this and support both Portland and Ochterloney in their evolving capacities.
 - 3) In regards to the environmental and public space development in Downtown I strongly support the daylighting of Sawmill Creek. The harbour and the Shubie Canal system is a highlight for the Downtown and they need to be linked aesthetically and environmentally. Currently a walk toward the Harbour from the lakes ends with a crosswalk and a view of the Esso station and the end of a high rise building. I like the option of replacing the existing pipe with a combination of day-lighted and underground pipe system. This would promote the use of the waterway right down to the harbour by pedestrians and it would promote the use of the waterway by gaspereau up into the lakes. As I understand it the dual day-lighted/pipe system will increase the overall capacity of the structure to handle increase precipitation events that are to be expected in future years with climate change. It would be worth the investment to manage future risk. As for linking pedestrians, something needs to be done to facilitate movement from the end of Pine Street over to the remainder of the canal. How about sidewalks on the north side of Alderney?
- 2) Before any changes are made to height regulations in Dartmouth steps must be taken to ensure that the small historic centre is protected. It is the charm of such places that attracts not only tourists, but also people to live, work and shop, in these neighbourhoods. To neglect this aspect would be extremely shortsighted.

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3 Among the things that should be considered while making plans for downtown Dartmouth is one that is barely visible: the hidden Sawmill River. Water --whether in the form of lakes, brooks, rivers, or ocean--is a main feature of Dartmouth. Whatever goes above ground and to whatever heights are reached, we must respect the importance of water to all. The day-lighting of the Sawmill River must be considered hand-in-hand with all the planned changes and improvements to Dartmouth's oceanside Downtown area. No matter what building projects go ahead, those who work and live in them will benefit from forward-thinking and planning to include open water in this neighbourhood: a tip of a hat to the past and a salute to the future.

4 The following is a short list of items to be considered with respect to Downtown Dartmouth:

1. Enhancement of walking environment:

a) Close the lower portion of Portland Street (between Prince & Alderney) to all vehicular traffic.

b) Eliminate all sidewalk curbs in this area and designate a centre strip for small kiosks and planters

c) Vehicular access in this area only before 8:30 am & after 6 pm as is the practice in Bordeaux/France, Vienna/Austria, Frankfurt/Germany

2. Protection of Pedestrian from the weather:

Together with the commercial occupancy at ground level should be a requirement to protect pedestrians by the means of an arcade or Canapee extending at least 6' over the sidewalk. (This would go a long way to balance the advantage of interior climate controlled shopping at the major shopping centres)

5 I am asking you to review proposed building heights that will be permitted throughout Regional Centre based on Public Hearings that took place in January and December of 2014 and changes soon to be adopted by HRM Council.

I support the goal of greater density in Regional Centre with 4000 additional residents targeted for Dartmouth, especially the Urban Core and Urban Centres.

I support the goal of clarifying for homeowners and developers where development can take place "AS-OF-Right" without a public hearing and without right of appeal to the UARB outside of existing and established neighbourhoods.

I do NOT support the current use of 12 STOREYS as the proposed height of MID-RISE buildings for AS-OF-Right development within our existing and established neighbourhoods within less than 70 feet from single family low rise homes. RP+5 Public Hearings proposed 8 as the maximum height or alternatively a height based on a 1:1 ratio with street width.

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- 6 As a resident of Dartmouth I support the goal of greater density in Regional Centre with 4000 additional residents targeted for Dartmouth, especially the Urban Core and Urban Centres.

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- 8 Letter on file - did not like lack of Q&A at the meeting; shadow analysis too simplistic

- 9 Mid-rise as of right development should be capped at 8 storeys. Any height in excess of this is unacceptable.

- 10 Ferry terminal park and other parks are not clearly shown on the plan. What are the exact boundaries of zoned parkland for the development area? Is there an appropriate map showing the areas now zoned as parkland? What are the site boundaries of the land recently sold along with the old Dartmouth City Hall? For each development scenario what would be the maximum height for any building erected on the old city hall site? I consider it to be most important the plan clearly delineates zoned parkland from any green space on which buildings may still be built or which could be used for roads. What are the view plane effects on the view from parkland in the downtown area?

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- 11 Please don't let developers build high-rises that block the view of Halifax from the Dartmouth Commons. This view is priceless and breathtakingly beautiful. It is the main reason I love living in Dartmouth. I am so happy to hear the planning of beautifying downtown Dartmouth. I think it has great potential to draw people just like Halifax waterfront. Tourists enjoy taking the ferry and if Dartmouth is less seedy and inviting more people will come. I love the "dark side".

I have a suggestion that you might consider. Cleaning up the shoreline near and under the MacDonald bridge. It is ugly with the discarded pavement and concrete along with wire and metal. I walk along the tracks and the paths with my dog, as do many others, and constantly picking up the garbage but it could be so nice if it didn't look like a dumping ground. If you want to make a good impression on Haligonians, sailors, and tourists let's make OUR shoreline look inviting. I will volunteer to help.

11 Presentation at Alderney Gate

- The discrepancy between the number of new housing units available (400 to 500 as I recall) and no apparent growth in the population, as required for the economic viability of Dartmouth Dartmouth needs to be understood. How is this possible? Is it correct? What are the implications?

Q1: Precincts

- Generally supportive of the concept
- I note reference to wind impacts for Portland St, whereas, your consultant did illumination modelling. Why?
- Precinct 7 differs from the others that have some distinguishing historical nature, or function (events, business,...). It seems like an arbitrary creation and makes me wonder if it is to somehow justify what has already been decided re the King's Wharf development.

Q2: Design guidelines

- Agree in principle, noting that the 'as-of-right' approach has led to some ugly buildings
- But who develops the design guidelines? How often are they reviewed / revised? Is there a process to review /revise them? Are exceptions permitted?
- Are the lessons learnt from Downtown Halifax captured somewhere? The link is to the Design Manual

Q3: Approval process

- I like the proposed site plan approval process provided that it is administered correctly - design standards developed in consultation with the public and then enforced fairly

Q4: Public Amenities

- An interesting question. Make the area more attractive and liveable: bicycle friendly, people friendly, economically and socially vibrant, safe, and culturally enticing.
- As with all areas, this should include some affordable housing

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- Daylighting Sawmill Creek could make precincts 1 and 6 far more interesting / pleasant. Accordingly, I don't see why one would rely solely on the separate process "addressed by Halifax Water and council through the current design exercise underway for the Canal Greenway"

Other consideration

- Are there financial implications (tax revenue comes to mind) of which the public should be aware?

- 12 Detailed letter on-file - 1. Heritage Conservation District; 2. Height Limits and Regulations for Heritage Properties; 3. Reasoned Height Limits; 4. Neighbourhood/Business Boundary; 5. Demand; 6. Incorrect Statements; 6. Lack of written planning documents

Heights in Downtown Dartmouth, case 18783:

In 2000 HRM adopted the Downtown Dartmouth Secondary Planning Strategy and a corresponding Land Use By-law. The text of this document is excellent, with the assets of Downtown Dartmouth well expressed, and protective principles established. The evidence suggests that the Strategy is having some success. While population was declining before the Strategy was adopted, the Census indicates that population increased by 6.4% in 10 years, and the number of households increased by 12.4%, in census tract 2050102, which includes the downtown south of Ochterloney Street.

1. Heritage Conservation District:

Policy H-5 of the Strategy says, "The municipality should investigate the use of a heritage conservation district as a means to protect and promote the unique built and visual heritage features of the downtown". In 2003, the Heritage Trust of Nova Scotia made a presentation to HRM Council asking Council to establish a Heritage Conservation District in Downtown Dartmouth. Specifically recommended for inclusion in the District were two historic shops with Scottish dormers at the corner of King and Portland Streets (Elledge McElmon Building, a registered heritage property, and Nieforth Furnishers at 35 Portland St.), the Quaker House and its Georgian neighbour at 53-55 Ochterloney (both registered), the Gothic revival, registered, Winston House at 62 Queen, Greenvale School (registered), Grace United Church and First Baptist Church (registered).

This presentation was well received by Council, but no work appears to have been done. As the District was requested first, HRM should give priority to the District.

We know from experience in many other cities that the way to increase property values in an area is to establish a heritage conservation district. The controls established in a district enable people to buy property in the district with confidence that the attractive aspects of the area will be maintained. The proposed Downtown Dartmouth Heritage Conservation District should be adopted before any height limits are increased.

2. Height Limits and Regulations for Heritage Properties:

The 3D shadow drawings of the three Scenarios show the heritage properties remaining at their current heights, but the proposed height maps show blanket height limits proposed for areas, including the heritage properties. The proposed height limits appear to be the same as the present height limit of 22 m, or higher, at 29, 43 and 50 m. We know from past experience, with 99 Ochterloney and 120 Ochterloney, that a height limit greater than the height of the existing heritage building places the building at risk. The height limits on heritage properties, and on existing buildings in the proposed Heritage Conservation District, should be lowered to the heights of the existing buildings.

Heritage design guidelines should also apply to the heritage properties themselves. The Standards and Guidelines for the Conservation of Historic Places have been adopted by Council and should be confirmed in the Strategy. Regarding properties that abut heritage properties, transitional heights should apply to the entire depth of the property, not just at the streetline.

3. Reasoned Height Limits:

The three Scenarios show the present height limit of 22 m being increased to 29, 30, 33.5, 36, 43, 46, 50 and 78 m on portions of the District, with no rationale for the choices. The documents say there is a concern about sunlight and about good experiences for pedestrians. We can look at Quinpool Road and Spring Garden Road as examples of streets that attract pedestrians. Quinpool Road has a height limit of 45 feet (13.7 m) east of Oxford Street and 35 feet (10.7 m) to the west. Spring Garden Road has a height limit at the streetwall of 17 m, with any portion of the building above that height on the south side required to be stepped back by 0.9 m for each additional 0.6 m in height. Similar provisions should be adopted in Downtown Dartmouth.

4. Neighbourhood/Business Boundary:

The existing Strategy has a weakness, as the boundary between the Downtown Neighbourhood zone and the Downtown Business zone was drawn too far to the west. A number of low-rise residential, heritage or institutional buildings were zoned for business use, which enables destruction of the buildings and their replacement by buildings five storeys or 70 feet high. Several registered heritage properties, on King, Queen, Dundas and Ochterloney Streets, are also zoned for 70-foot heights.

This weakness should be corrected, either by adopting a heritage conservation district, as outlined in paragraph 1 above, or by specifying heights on the registered heritage properties and other characteristic buildings equal to the heights of the existing buildings, as in paragraph 2 above, or by extending the Downtown Neighbourhood zone to encompass the low-rise residential, institutional and heritage buildings.

5. Demand:

The materials presented by HRM focus on increasing the amount of floor space that can be constructed on various sites. The materials appear to assume that this would increase the number of people living downtown. This would only be true if there is evidence that the demand for housing downtown exceeds the capacity allowed by the present Land Use By-law. There is no such evidence. If demand exceeded capacity, we would expect that there would be very few vacant apartments in the area. On the contrary, CMHC data shows that the apartment vacancy rate in Dartmouth South, including the downtown, is 4.7%, which is higher than the vacancy rate elsewhere in HRM. Apartments have been approved on Irishtown Road but have not been constructed.

Since there is no evidence of a lack of capacity, HRM should focus instead on increasing demand, by making downtown Dartmouth a more attractive place to live. The actions in paragraphs 1 to 4 above would help with this.

6. Incorrect Statements:

The materials presented by HRM make incorrect, critical statements about the Downtown Dartmouth Secondary Planning Strategy. These statements may have misled members of the public regarding the current situation. The public has a right to expect that information presented by HRM is scrupulously accurate.

For example, the materials state that the current Strategy does not have defined height limits. This is not correct. The Downtown Business zone has a height limit of three storeys or 45 feet, which can be increased to five storeys or 70 feet if the upper part of the building is stepped back. Two opportunity sites have higher height limits, but these are clearly defined in the Strategy.

The materials also say that there are no policies in the Strategy that limit or regulate the redevelopment of heritage properties. HRM is not allowed to “regulate” through a Strategy; this is done through the Heritage Property Act and Heritage By-law. There are 14 heritage policies in the Downtown Dartmouth Secondary Planning Strategy; some of these policies guide development of heritage properties. HRM should act to increase these protections, instead of putting heritage buildings at greater risk by increasing height limits.

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The incorrect statements should be corrected and a further public meeting should be held.

7. Lack of Written Planning Documents:

Section 220(4) of the HRM Charter says, “The Council shall complete the public participation program before placing the first notice for a public hearing in a newspaper circulating in the Municipality.” Section 219(3) of the Charter says this public participation program “must identify opportunities and establish ways and means of seeking the opinions of the public concerning the proposed planning documents.” In this case, the public has not seen any “proposed planning documents”. All that has been presented are three Scenarios, and some posters. “Planning documents” are defined in the Charter as planning strategies and land use by-laws, legal documents. The public has a right to see and to express opinions on the proposed planning strategy and land use by-law before these go to Council for a public hearing.

HRM should comply with the Charter, make the proposed draft planning documents public, and hold a further public meeting or meetings to discuss the documents, before sending the matter to a final public hearing. Thank you for considering these matters.

13 cap mid-rise at 8 stories (see e-mail on-file)

14 I am vigorously in agreement that mid-rise as of right development should be capped at 8 Storeys. Without question!!! 12 stories is totally unacceptable.

15 In terms of Downtown Dartmouth revised plan, I like the idea of precincts, but I see a number of flaws in the general work. If we look at the Urban Planning work to date in Dartmouth’s long history, it has centred around the major feature of the Shubie Canal. The proposed precincts do not align themselves to optimize the Canal and rebuilt greenway as a showcase element. That is a glaring weakness and I think the strongest adverse impact of the current proposal to Dartmouth’s next 100 years of urban design identity.

Secondly, peppering highrise development throughout the downtown is not a strong urban plan. It does not apply pressure and incentive on developers and landowners with any meaningful purpose. A handful of developers will have in place or receive land at choice pricing because there is not a designated containment area for highrises (as happened along Toronto’s waterfront, Vancouver’s waterfront, or a sector in Zurich, Switz.). The best efficiencies for densification is to have in a compact corridor a concentration of highrises that optimize light/minimize shading, maximize views, provide urban core access without negatively impacting surrounds with existing reference to scale. In that regard, landowners and developers through a process of education could see land values in Harbourview increase exponentially by creating a corridor for highrises ranging from 20 stories along the waterfront to 40 stories for the setback row(s) of highrises from the MacDonald Bridge to the Ferry Terminal to Wyse Road. The views out to the mouth of the Harbour surpass both Toronto’s and Vancouver’s waterfront. All vested interests would be incented to not dilute the value of this high value real estate strip and build mid- to high value complexes/units. You have a five minute walk to the Ferry and Bus Terminals and one minute to the Bridge. There are highrises in the area already and the bridge towers visually support an architectural scale that easily supports 40 storey buildings. Stacked highrises result in low value for interior lower units so instead of costly underground parking that is below sea level, the lower floors of the 40 storey highrises could easily support parking (as in larger cities like New York), with a series of modern motorized pedways bringing tenants to their waterfront buildings. By limiting highrise development in other residential communities generally, the city signals a strong commitment to the land values in the target development area.

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That is an aggressive plan that distinguishes Dartmouth within HRM, provides a strong economic base for the existing municipal infrastructure, financially rewards all area landowners as well as developers, dissatisfied landowners could sell lands at a premium to get out, has minimal visual or shading impact on residential communities to the north, east, south or west, reduces dependence on automobiles, maximizes affordable accessible housing with world class harbour views, preserves the heritage character and pedestrian scale of the greater downtown area.

The final point is on scale of mid-rise. I have spoken with a number of people and the more easily identifiable problem most people seem to see in the proposed Downtown Dartmouth revised plan is the permission for midrise to be as high as 12 storeys. Toronto does not support 12 storeys as mid-rise, generally, except in cases of exceptionally wide boulevards. Midrise in Toronto is a 1:1 ratio with street width (at a maximum). If HRM does not go with a 1:1 ratio on building height restriction, then it should at least cap mid-rise height as of right development at 8 storeys

- 16** Please use your best judgment in redefining the mid-rise height definition for AS-OF-RIGHT construction within neighbourhood centres and corridors, especially when they will be within 70 feet of existing houses. Once the decision is made, it's too late to do anything about it after the fact.

People buy their homes with the expectation of not being overshadowed by a huge structure that will increase traffic, increase parking problems (safety issue), change/increase winds, and impact on nature in lake areas. I believe that ruining neighbourhoods with oversized buildings contributes somewhat to urban sprawl, as people don't wish to live in houses that are crowded in by high rises.

Please, please redefine mid-rise AS-OF-RIGHT development as buildings of a maximum height of 8 storeys outside the Urban Core and Urban Centres.

- 17** Letter expressing opposition for as-of-right development in excess of 8 stories in neighbourhood corridors and neighbourhood centres

- 18** Letter expressing opposition for as-of-right development in excess of 8 stories in neighbourhood corridors and neighbourhood centres

- 19** Letter expressing opposition for as-of-right development in excess of 8 stories in neighbourhood corridors and neighbourhood centres